IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

OP.No. 312 of 2002(S)

OA.1139/2000 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH
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PETITIONERS:
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1. UNION OF INDIA,REPRESENTED BY THE GENERAL MANAGER,SOUTHERN RAILWAY, CHENNAI-3.

2. THE SENIOR DIVISONAL PERSONNEL OFFICER, SOUTHERN RAILWAY,PALAKKAD.

BY ADV. SRI.VARGHESE P.THOMAS, SC, RAILWAYS
SRI.P.PARAMESWARAN NAIR, ASG
SMT.SUMATHI DANDAPANI

RESPONDENTS:
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1. T.KESAVAN S/O.THANGAVEL,EX-CASUAL LABOURER,SOUTHERN RAILWAY,PALAKKAD DIVISION RESIDING AT MARUTHIPATTI,MORAPPUR (VIA), HARUR TALUK,DHARMAPURI DISTRICT.

2. S.NARASIMMAN S/O.SAKKAN,EX-CASUAL LABOURER,SOUTHERN RAILWAY,PALAKKAD DIVISION, RESIDING AT MARUTHIPATTI,MORAPPUR (VIA) HARUR TALUK,DHARMAPURI DISTRICT.

3. N.ANTONY S/O.NOYAGAM,EX-CASUAL LABOURER,SOUTHERN RAILWAY,PALAKKAD DIVISION, RESIDING AT MARUTHIPATTI,MORAPUR (VIA), HARUR TALUK,DHARMAPURI DISTRICT.

4. K.SUDEVAN,TRACK MAN,SOUTHERN RAILWAY, PALAYAM,TAMIL NADU,THROUGH THE SENIOR DIVISIONAL PERSONNEL OFFICER,SOUTHERN RAILWAY,PALAKKAD.

5. C.C.VIJAYAN,TRACK MAN,SOUTHERN RAILWAY, PALAYAM,TAMIL NADU,THROUGH THE SENIOR DIVISIONAL PERSONNEL OFFICER,SOUTHERN RAILWAY,PALAKKAD.

6. V.JABBAR,TRACK MAN,SOUTHERN RAILWAY, PALAYAM,TAMIL NADU,THROUGH THE SENIOR DIVISIONAL PERSONNEL OFFICER,SOUTHERN RAILWAY, PALAKKAD.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP NO.312/2002

ORDER IN CMP NO.512 OF 2002 IN OP NO.312 OF 2002

DISMISSED

2/07/2007 **SD/-K.S.RADHAKRISHNAN, JUDGE.**

SD/-ANTONY DOMINIC, JUDGE.

APPENDIX

PETITIONERS EXHIBITS

EXT.P1: TRUE COPY OF THE ORIGINAL APPLICATION NO.1139 OF 2000 FILED BY RESPONDENTS 1 TO 3 BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH DATED 27.9.2000.

EXT.P2: TRUE COPY OF THE ORDER NO.J/P O.A.179/99 DATED 1.10.1999 OF THE 2ND PETITIONER TO THE 1ST RESPONDENT.

EXT.P3: TRUE COPY OF THE ORDER NO.J/P O.A.179/99 DATED 1.10.1999 OF the 2ND PETITIONER TO THE 2ND RESPONDENT.

EXT.P4: TRUE COPY OF THE REPLY STATEMENT FILED BY THE 2ND PETITIONER BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM IN OA NO.1139 OF 2000 DATED FEBRUARY, 2001.

EXT.P5: TRUE OCPY OF THE ORDER OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM IN OA 1139/2000 DATED 11.7.2001.

EXT.P6: TRUE COPY OF THE ORDER OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM IN OA 771/2000 DATED 9.3.2001.

EXT.P7: TRUE COPY OF THE ORDER OF THE CENTRAL ADMINISTRATIVE TRIBUNL, ERNAKULAM IN OA 770/2000 DATED 12.3.2001.

EXT.P8: TRUE COPY OF THE ORDER OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM IN OA 767/2000 DATED 12.3.2001.

EXT.P9: TRUE COPY OF THE LETTER D.O.NO.P(CO-ORD./ACTION PLAN 1999-2000 DATED 18/11/1999 OF THE CHIEF PERSONNEL OFFICER, SOUTHERN RAILWAY, CHENNAI.

//TRUE COPY//

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.

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O.P. NO. 312 OF 2002

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Dated this the 2nd day of July, 2007

J U D G M E N T

Radhakrishnan, J.

The issue raised in this original petition is already covered against the petitioner by judgment in OP No.31783/2001 and connected cases. In the circumstances, the OP is dismissed in the light of the above mentioned judgment.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp